

## EXHIBIT C



**U.S. Department of Justice**

***Carmen M. Ortiz***  
*United States Attorney*  
*District of Massachusetts*

Main Reception: (617) 748-3100

John Joseph Moakley United States Courthouse  
1 Courthouse Way  
Suite 9200  
Boston, Massachusetts 02210

September 26, 2014

**BY HAND DELIVERY**

William Fick, Esq.  
Timothy Watkins, Esq.  
Judy Clarke, Esq.  
David Bruck, Esq.  
Federal Defender's Office  
51 Sleeper Street, 5<sup>th</sup> Floor  
Boston, MA 02210

Re: United States v. Dzhokhar Tsarnaev, Crim. No. 13-10200- GAO

Dear Counsel:

We are writing in response to your letters of September 9, 2014, and September 12, 2014, seeking additional information in the above-captioned case, and we are providing some additional information.

In your September 9 letter you renew your request "for full copies of apparently excerpted documents [REDACTED]"

We decline this request for several reasons. First, it is untimely. We originally produced the information on June 9, 2014. You waited six weeks to follow up. We responded within two weeks, and you waited another four weeks to reply. We are now approaching the trial date and many more important matters are at hand. It is too late at this point to be seeking additional information about materials we first produced over three months ago.

Second, we have already provided all of the information about these materials that is even arguably subject to the rules of discovery. We previously informed you in a letter dated [REDACTED]

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[REDACTED], who in the United States government received it, and the exact dates on which the information was passed and received, is not favorable material information or information material to the preparation of the defense.

To the extent your request is for the [REDACTED] [REDACTED] that information is not within our possession, custody or control. In producing the information to you, moreover, the government does not concede that it is truthful, accurate, reliable, or is what it purports to be (let alone relevant or more probative than prejudicial) [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED] [REDACTED] [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

With respect to your September 12 requests, we note that the time for discovery is long past. We therefore decline all of those requests except to the extent that they seek information actually required at this time by law.

Requests 1, 2. Recordings of phone calls made by your client between 06-18-14 and 09-10-14 are on the enclosed disk labelled DT-0073661 – DT-0073809.

Requests 3, 4, 5. We will ask FBI to make copies of these items for you.

Request 6. We will provide Jencks material for testifying witnesses when it becomes due.

Requests 7 & 8. To the extent this request seeks information within the compass of Local Rule 116.2(b)(2)(C), we will produce it 21 days before trial. Otherwise, we are aware of no legal basis for this request and therefore decline it.

Request 9. All material responsive to this request has previously been provided in discovery.

Request 10. To the extent this request seeks material the government is obligated to produce under Rule 16(a)(1)(F), we have produced it already.

Request 11. We will ask FBI to make copy of this item for you.

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Request 12. All of the digital devices that the government intends to introduce in its case in chief have already been produced.

Request 13. This appears to be a request for us to help you prepare your case, not a request for discovery.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

3. High-resolution copies of known fingerprint exemplars are on the enclosed disk labelled DT-0073661 – DT-0073809

4. [REDACTED] email account are on the enclosed disk labelled DT -0073659.

5. Total Station data for the Boylston Street bombing scene is on the enclosed disk labelled DT -0073660.

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6. Additional tips and leads of the same general nature as those you reviewed previously have been added to the stand-alone computer in the U.S. Attorney's Office. They are available for your review.

Sincerely,

CARMEN M. ORTIZ  
United States Attorney

By: /s/ Alope /Chakravarty  
Alope Chakravarty  
William Weinreb  
Nadine Pellegrini  
Assistant U.S. Attorneys